requirements of 49 CFR Part 236 as detailed below.

Block Signal Application (BS–AP)–No. 3357

Applicant: Norfolk Southern Railway Company, Mr. J. W. Smith, Chief Engineer—C&S, Communication and Signal Department, 99 Spring Street SW., Atlanta, Georgia 30303.

The Norfolk Southern Railway Company, Central of Georgia Railway seeks approval of the proposed discontinuance and removal of the automatic block signal system, on the single main track ''O'' Line and sidings between Fort Benning Junction, Georgia, milepost 4.2 and B.V.& E. Junction, Georgia, milepost 60.0, Georgia Division, Americus District, a distance of approximately 56 miles.

The reason given for the proposed changes is to reduce maintenance costs without affecting the safety of operations, in connection with the pending lease of the ''O'' Line to the Georgia Southwestern Railroad.

BS–AP–No. 3358

Applicants: Metro North Commuter Railroad Company, Mr. G. F. Walker, Assistant Vice President-Operations, 347 Madison Avenue, New York, New York 10017

Connecticut Department of Transportation, Mr. L. J. Forbes, Rail Administrator, P. O. Box 317546, Newington, Connecticut 06131–7546.

Metro North Commuter Railroad Company and the Connecticut Department of Transportation jointly seek approval of the proposed modifications, near New Haven Interlocking, milepost 72.3, in New Haven, Connecticut, on the New Haven Line; consisting of the reconfiguration of New Haven Interlocking, the installation of CP 271 between milepost 71.16 and milepost 71.46, and installation of a new computer based office control system.

The reason given for the proposed changes is that with the proposed electrification east of New Haven and the number of freight trains and engine changes reduced significantly, the current design of New Haven Interlocking no longer meets the needs of its users. Also, as part of the Northeast Corridor Highspeed Rail Project, New Haven Interlocking must be reconfigured to safely accommodate the proposed mixes of rail traffic and speed.

Any interested party desiring to protest the granting of an application shall set forth specifically the grounds upon which the protest is made, and contain a concise statement of the interest of the protestant in the proceeding. The original and two copies of the protest shall be filed with the Associate Administrator for Safety, FRA, 400 Seventh Street, S.W., Washington, D.C. 20590 within 45 calendar days of the date of issuance of this notice. Additionally, one copy of the protest shall be furnished to the applicant at the address listed above.

FRA expects to be able to determine these matters without oral hearing. However, if a specific request for an oral hearing is accompanied by a showing that the party is unable to adequately present his or her position by written statements, an application may be set for public hearing.

Issued in Washington, D.C. on June 15, 1995.

Phil Olekszyk,

Deputy Associate Administrator for Safety Compliance and Program Implementation.

[FR Doc. 95–15066 Filed 6–19–95; 8:45 am]

BILLING CODE 4910–06–P

National Highway Traffic Safety Administration

[Docket No. 95–26; Notice 1]

Uniform Data Collection and Reporting Program

AGENCY: National Highway Traffic Safety Administration (NHTSA), DOT.

ACTION: Notice and request for comments.

SUMMARY: This notice invites comments, suggestions and recommendations from individuals and organizations with an interest in data support for highway and traffic safety problem identification and countermeasure activities. In particular, it solicits participation from the traffic safety community regarding a uniform data collection methodology and process pursuant to the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991, which required that the Secretary establish a highway safety program for the collection and reporting of data on traffic related deaths and injuries by the States. Comments should address the specific questions listed in the notice and any relevant data-related concerns applicable to the concept of a national uniform data system or to the ISTEA requirement.

DATES: Comments are due no later than July 20, 1995.

ADDRESSES: Written comments should refer to the docket number of this notice and should be submitted to: Docket Section, NHTSA, Room 5109, Nassif Building, 400 Seventh Street SW., Washington, DC 20590. (Docket hours are 9:30 a.m. to 4:00 p.m.)

FOR FURTHER INFORMATION CONTACT: Janet Johnson, Office of Strategic Planning and Evaluation, NPP–11, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590; telephone 202/366–2571.

SUPPLEMENTARY INFORMATION: When the Highway Safety Act of 1966 was enacted, state central traffic records systems generally contained basic files on crashes, drivers, vehicles and roadways. Highway Safety Program Standard 10, issued by NHTSA in 1967, established a formal traffic records program. It provided: ''Each State, in cooperation with its political subdivisions, shall maintain a traffic records system. The Statewide system shall include data for the entire State. Information regarding drivers, vehicles, accidents, and highways shall be compatible for purposes of analysis and correlation.''

Since that time, an increasingly comprehensive traffic records program has emerged to meet the need for planning (problem identification), operational management, evaluation of motor vehicle fleet characteristics and state highway safety program activities. States receive funds under the NHTSA/FHWA Section 402 State and Community Highway Safety Grant program. These funds may be used by states to support their traffic records programs. Traffic Records has been identified by NHTSA and FHWA as a priority program under Section 402.

NHTSA's National Center for Statistics and Analysis (NCSA) maintains a number of systems that either collect data or use state-collected data to diagnose problems in motor vehicle safety, analyze potential safety improvements, and evaluate the effects of safety measures that are in place. These data systems include the Fatal Accident Reporting System (FARS), the National Accident Sampling System's Crashworthiness Data System (CDS) and the General Estimates System (GES). NCSA also obtains the crash data files from 17 states for use in its analysis.

While existing data sources meet many of the highway safety community's data needs, it is necessary to periodically examine those needs to see how well they are being satisfied and to identify any new safety areas for which it might become necessary to collect data. Fortunately, the advanced capabilities of computerized data collection, storage and manipulation have made sophisticated information creation and exchange a plausible activity. The availability of uniform or standard data elements enhances the

usefulness of these data for all highway safety related activities, not the least of which is the potential for injury and fatality data to become an increasingly valuable resource for purposes of more pinpointed problem identification.

Uniform Data

NHTSA and FHWA support the ANSI Standard D20.1, Data Element Dictionary for Traffic Record Systems, and ANSI Standard D16.1, Manual on Classification of Motor Vehicle Traffic Accidents. Neither, however, specifies those variables and elements that should be included in a typical motor vehicle crash reporting system or identifies those variables which, if collected and automated, would be appropriate for a full range of problem identification and analytical activities.

NHTSA's most recent activity to focus on standardized data was its development of the CADRE (Critical Automated Data Reporting Elements). CADRE is a set of variables NHTSA believes, if uniformly collected, would improve the usability of state crash data for analytical purposes. CADRE was not intended to serve as a minimal set of elements to cover all aspects of crash data collection. Although the definition of variables to be collected on police crash reports is clearly a state determination, the lack of standardization both of variables across states and of the application of variable definitions within states makes comparison and analysis difficult for all highway safety data users.

Intermodal Surface Transportation Efficiency Act (ISTEA)

On December 18, 1991, the Intermodal Surface Transportation Efficiency Act (ISTEA) (Pub. L. 102–240) was signed into law. Section 2002 (a) of ISTEA was enacted to ensure national uniform data on traffic related deaths and injuries in the U.S. It requires that the following action be taken:

> The Secretary shall establish a highway safety program for the collection and reporting of data on traffic related deaths and injuries by the States. Under such program, the States shall collect and report such data as the Secretary may require. The purposes of the program are to ensure national uniform data on such deaths and injuries and to allow the Secretary to make determinations for use in developing programs to reduce such deaths and injuries and making recommendations to Congress concerning legislation necessary to implement such programs. The program shall include information obtained by the Secretary under section 4007 [1] of the Intermodal Surface Transportation Efficiency Act of 1991 and provide for annual reports to the Secretary on the efforts being made by the States in reducing deaths and injuries occurring at highway construction sites and the effectiveness and results of such efforts. The Secretary shall establish minimum reporting criteria for the program. Such criteria shall include, but not be limited to, criteria on deaths and injuries resulting from police pursuits, school bus accidents, and speeding, on traffic-related deaths and injuries at highway construction sites and on the configuration of commercial motor vehicles involved in motor vehicle accidents.

In 1994, NHTSA began a strategic planning process intended to develop a comprehensive, long-range approach to crash and injury prevention. NHTSA's Strategic Plan was crafted to support the goals of DOT's Strategic Plan and the legislative mandates of the Agency. Eleven strategic goals were developed and derived from the Agency's mission. One of these goals addressed the improvement of data collection and analysis so as to ''* * * better identify and understand problems and to support and evaluate programs * * *''

Uniform Data Issues

Section 2002(a) of ISTEA requires the Secretary to ''establish a highway safety program for the collection and reporting of data.'' It further provides that the Secretary ''shall establish minimum reporting criteria for the program,'' and that ''the states shall collect and report such data as the Secretary requires.'' The Agency solicits comments on these requirements, and is particularly interested in answers to the following questions:

1. Commenters should indicate whether they believe there is a need to create a set of uniform definitions for all states to use and should provide a rationale for their position. How would data analysis activities for which commenters have responsibility, use, or benefit from, be specifically affected by having a uniform set of definitions? Is there already an acceptable level of uniformity? If yes, please provide a basis for that determination.

2. If commenters support the development of a uniform set of elements, they should indicate what they believe to be the best way to go about establishing standard or uniform data elements or sets. Who would be best qualified to take on this task? What forum should be used to explore the establishment and adoption of a national uniform data set: a series of public meetings? another **Federal Register** Notice? Other?

3. Commenters should identify financial impacts of establishing a uniform system and assess their capability to meet those funding commitments. What solutions might be proposed to accomplish this? Commenters should describe what they see as DOT's role in establishing and implementing such a system, the state's role, and the role of the highway safety community.

4. Besides the CADRE elements, commenters should indicate what other elements might serve as a core set of elements sufficient to allow for meaningful inter/intrastate comparisons and analyses. Are there any CADRE elements that should be deleted? If so, please include a rationale.

5. If commenters have adopted some or all of the CADRE elements, what adjustments were made to the police accident report (PAR) to accommodate this activity? If commenters have made a decision not to adopt CADRE, what are the impediments to implementation that have been identified? What nationally uniform data elements would the commenter consider adopting?

Minimum Reporting Criteria Issues

Section 2002(a) provides that the Secretary shall establish ''minimum reporting criteria'' and that the criteria ''shall include, but not be limited to, criteria on deaths and injuries resulting from police pursuits, school bus accidents, and speeding, on traffic-related deaths and injuries at highway construction sites and on the configuration of commercial motor vehicles involved in motor vehicle accidents.''

Many states currently collect some information about these crash characteristics on their PARs. However, not all states do so, and for those that do, the data definitions and variables collected vary widely. Included below is a brief discussion of issues relating to each of these areas and questions to which NHTSA seeks input from commenters.

Police Pursuits

To determine the nature and extent of the relationship of police pursuit to motor vehicle crashes, DOT believes it may be useful to develop a uniform definition of police pursuit and a data element(s) to properly identify and code whether a police pursuit may have been a contributing factor to a crash. Since the 1994 Fatal Accident Reporting System (FARS) data collection year, police pursuit has been coded as a special circumstance in the Accident Level-Related Factors section and also as a factor in the Driver Level section.

[1] The reference to Section 4007 is incorrect. We believe the intended reference was Section 4003, which added a new section 407 to Part A of title IV of the Surface Transportation Assistance Act of 1982 (49 U.S.C. App. 2301–2305).

FARS is NHTSA's and FHWA's only data system that codes police pursuit related data. Because there is no uniform variable across all states, the NASS General Estimates System (GES), which codes only data collected on PARs cannot collect this information.

During 1994, FARS conducted a special study to determine if police pursuit-related crashes were being reported on state police crash reporting forms. A national news clipping service was engaged to collect news stories where police pursuit was reported in a fatal crash. Preliminary results indicate that for 26 percent of the news clips reviewed, information identifying that a police pursuit was involved was not included on the PAR. Accordingly, we solicit input on the following questions:

6. How does your State currently define a police pursuit? Is information related to police pursuits collected on your PAR? If yes, what is the nature of that information?

7. Is information collected when a police pursuit may have been a contributing factor to the crash or was terminated immediately prior to the crash?

8. What would be an appropriate definition of police pursuit and police pursuit-related crashes? What type of variable would be necessary to capture this information on a PAR?

9. Would information on police pursuit-related crashes be more appropriately collected under a special study? What types of special studies would be most useful? Please be specific.

10. Identify any impediments to obtaining and collecting accurate data on police pursuit-related crashes. How can these impediments be eliminated?

Work Zones

Work zone safety is a national priority for DOT. FHWA has developed a National Work Zone Safety Program and recently held a national conference to discuss this issue. Since 1981, FARS has identified work zone-related crashes in the Accident Level section. In 1995, GES added a similar variable. Both systems distinguish between motorist and nonmotorist fatalities and injuries. However, if information distinguishing highway construction projects from utility company projects or construction workers from nonworkers is needed, both systems can do so only if the information is readily available on the PAR. Recent research on work zone safety has included the testing and recommendation of various types of work zone equipment, barriers, signs, pavement markings, and worker practices. However, more detailed crash statistics are needed to better understand the cause and characteristics of work zone crashes. Preliminary investigations have indicated that work zone crashes may be understated due to the lack of a standard definition and the practice of recording (on PARs) these types of crashes as part of other variables, such as ''Road Defects.'' Consequently, we invite comments on the following issues:

11. How does your state currently define a work zone? Is any information on work zone related crashes collected on any of your state PARs?

12. Does this definition discriminate between highway construction and utility company operations? If so, how is this information used?

13. Does this definition discriminate between construction workers and nonworkers involved in the crash? If so, how is this information used?

14. DOT is considering developing a standard definition for work zone crashes and recommending that states include this as a separate variable on PARs. What would be an appropriate definition of a work zone and a work zone-related crash? What type of variable would be necessary to capture this information on a PAR?

15. Would information on work zone related crashes be more appropriately collected by means of a special study? What types of special studies would be most useful? Please be specific.

School Buses

Currently all states collect data on school bus and school bus related crashes. Consequently, the information can be collected and coded by both FARS and GES. Although there does not appear to be a need to collect any additional data at this time or to propose any changes to the existing national data collection systems, some in the safety community believe these crashes to be underreported.

16. Do commenters believe these crashes are underreported? If so, do you believe changes in collecting school bus data should be made to address this? What specific changes do you recommend?

17. If commenters agree that collection of additional data at this time is not necessary, please state this and include your reasons.

Speeding

Many states currently collect some data on speed, usually as a contributing cause of crashes. One of the difficulties in using current data is that speed can be a contributing factor in a number of ways, e.g., exceeding the posted speed limit or driving too fast for conditions. In addition, the recording of speed as a contributing cause presents some difficulties. Police officers might report speeding as a contributing cause when the crash cause is not clear. On the other hand, a police officer might suspect that speed was a contributing cause but not have enough evidence to issue a citation and consequently, be reluctant to indicate speed as a contributing factor. NHTSA and FHWA also recognize that a research study may be more appropriate to collect the type of information required to fully understand the impacts of speed. We are considering periodic studies of the speed/crash relationship where detailed data would be collected. However, there is still a need for continuous collection of the number and types of speed-related crashes by states and by DOT through its FARS, GES and CDS to provide the problem identification data needed for program development. Therefore, we solicit responses to the following questions:

18. How does your state define a speed-related crash? Do PARs contain a variable to collect this information?

19. What would be an appropriate definition of a speed-related crash? What type of variable would be necessary to capture this information on a PAR?

20. Would information on speed-related crashes be more appropriately collected under a special study? What types of special studies would be most useful? Please be specific.

Commercial Vehicle Related Crashes

Currently DOT, through FHWA's Office of Motor Carriers, collects crash data on commercial vehicles involved in interstate and intrastate commerce (as long as the crash meets the National Governors' Association [NGA] reportable accident criteria). Uniform data elements have been defined and recommended, and all states collect some of the elements. These data elements will be reviewed in 1997, and may be updated to accommodate changes in vehicle and highway travel. With these data and those collected on truck-involved crashes by FARS and GES, NHTSA and FHWA currently plan no major changes in these data collection systems, but solicit comments on this determination and on the following additional issues:

21. Do commenters agree that there is currently no need for any major changes in these data collection systems? If not, please include a rationale.

22. The definition of ''longer commercial vehicle'' (LCV) is not standard. Should a standard definition be established? If so, by what method?

23. If some double combinations are to be classified as LCV's and others are not to be classified as LCV's, how shall the difference be defined?

Injury Severity Determinations

NHTSA and FHWA are interested in the public's comments and suggestions regarding data collection issues not only on the specific safety areas addressed above, but also relating to the issue of injury severity determinations. There is currently no consistent application of the standard definition of injury severity found in the ANSI D16.1 Manual on Classification of Motor Vehicle Traffic Accidents: fatal, incapacitating, nonincapacitating, possible, no injury. Application of this injury scale depends on evaluation at the crash scene by police officers with little or no medical training. Consequently, people with injuries of different medical severities are often included within the same class because of differing interpretations of how severely a crash victim is injured. Frequently, emergency medical services transport of a victim for treatment is enough to code ''incapacitating injury.'' On the other hand, some injuries are not immediately evident at the scene of the crash, and a victim who is later diagnosed with a serious injury can be initially classified as ''not injured.'' This lack of standard application makes it difficult to determine the extent of the injury problem or to combine data from various jurisdictions. We are soliciting information on the following issues:

24. Is it feasible to standardize or change the application of the injury classification scale in a way that would allow valid judgments by officers on the scene?

25. If so, how should the highway safety community accomplish this?

26. Are there other methods for determining the nature and extent of the injury problem without requiring the collection of these data at the crash site? What are these methods?

27. Is it feasible to collect this information through the linking of EMS and hospital data with PARs?

NHTSA seeks public comment on the issues discussed above. Interested individuals or groups are invited to submit comments on these and any related issues. It is requested, but not required that ten copies of each comment be submitted. Written comments to the docket must be received on or before July 20, 1995. In order to expedite the submission of comments, simultaneous with the issuance of this notice, copies will be mailed to all State Governor's Highway Safety Representatives. Comments should not exceed 15 (fifteen) pages in length. Necessary attachments may be appended to those submissions without regard to the 15 page limit. This limitation is intended to encourage commenters to detail their primary arguments in a concise manner. All comments received before the close of business on the comment closing date listed above will be considered and will be available for examination in the docket room at the above address both before and after that date. To the extent possible, comments filed after the closing date will be considered. The Agency will continue to file relevant information as it becomes available. It is recommended that interested persons continue to examine the docket for new material. Those people desiring to be notified upon receipt of their comments by the docket section should include a self-addressed, stamped postcard in the envelope with their comments. Upon receipt of their comments, the docket supervisor will return the postcard by mail.

Issued on: June 15, 1995.

Donald C. Bischoff,

Associate Administrator for Plans and Policy.

[FR Doc. 95–15067 Filed 6–19–95; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF THE TREASURY

Office of the Comptroller of the Currency

[Docket No. 95–10]

Preemption Determination

AGENCY: Office of the Comptroller of the Currency, Treasury.

ACTION: Notice.

SUMMARY: The Office of the Comptroller of the Currency (OCC) is publishing its response to a written request for the OCC's determination of whether Federal law preempts the application of a Texas regulation that prescribes certain requirements relating to the signs and advertising used to identify branch banking facilities located in Texas. The OCC has determined that Federal law does not preempt the application of this regulation to national banks located in Texas. Section 114 of the Riegle-Neal Interstate Banking and Branching Efficiency Act of 1994 (the Riegle-Neal Act) requires publication of opinion letters concluding that Federal law preempts certain State statutes and regulations. While publication is not required for opinion letters concluding that Federal law does not preempt the State law, the OCC has decided to publish this letter in order to disseminate broadly its conclusions on preemption issues covered by the Riegle-Neal Act's publication requirements.

FOR FURTHER INFORMATION CONTACT: Sue E. Auerbach, Senior Attorney, Bank Activities and Structure Division, 250 E Street, SW, Eighth Floor, Washington, DC 20219, (202) 874–5300.

SUPPLEMENTARY INFORMATION:

Background

Section 114 of the Riegle-Neal Act, Pub.L. 103–328 (12 U.S.C. 43), generally requires the OCC to publish in the **Federal Register** a descriptive notice of certain requests that the OCC receives for preemption determinations. The OCC must publish this notice before it issues any opinion letter or interpretive rule concluding that Federal law preempts the application to a national bank of any State law regarding community reinvestment, consumer protection, fair lending, or the establishment of intrastate branches (four designated areas). The OCC must give interested persons at least 30 days to submit written comments, and must consider the comments in developing the final opinion letter or interpretive rule.

The OCC must publish in the **Federal Register** any final opinion letter or interpretive rule that concludes that Federal law preempts State law in the four designated areas. It may, at its discretion, publish any final opinion letter or interpretive rule that concludes that State law in these areas is not preempted. The Riegle-Neal Act also provides certain exceptions, not applicable to the present request, to the **Federal Register** publication requirements.

Specific Request for OCC Preemption Determination

On March 10, 1995, the OCC published in the **Federal Register** (60 FR 13205) notice of a request for the OCC's determination of whether Federal law preempts the application of Texas Rule 3.92, 7 Tex. Admin. Code Section 3.92 (Rule), ''Naming and Advertising of Branch Facilities,'' in its entirety, to national banks. The Rule was adopted by the Texas State Finance Commission on August 19, 1994, pursuant to Texas Civil Statutes section 342–917, ''Identification of Facilities,'' which generally provides that a bank may not use any form of advertising that implies or tends to imply that a branch facility is a separate bank.

The Rule, like the statute, prohibits advertising of a branch facility in a manner which implies or fosters the